

***[NO MINUTES WERE GENERATED FOR
MONDAY, MAY 25, 2009,
IN OBSERVANCE OF MEMORIAL DAY HOLIDAY.]***

915

**SUPREME COURT MINUTES
TUESDAY, MAY 26, 2009
SAN FRANCISCO, CALIFORNIA**

S168047/S168066/S168078

**STRAUSS (KAREN L.) v.
HORTON (MARK B.)/
(HOLLINGSWORTH)**

Opinion filed

In each of the three cases before us, the request for a peremptory writ of mandate is denied. Each party shall bear its own costs.

Majority Opinion by George, C. J.

-- joined by Kennard, Baxter, Chin, & Corrigan, JJ.

Concurring Opinion by Kennard, J.

Concurring Opinion by Werdegarr, J.

Concurring and Dissenting Opinion by Moreno, J.

S172961 B215745 Second Appellate District, Div. 6

**ABER (CHRISTOPHER) v.
S.C. (STANDARD PACIFIC
CORPORATION)**

Petition for review & application for stay denied

S025520

**PEOPLE v. WALDON (BILLY
RAY)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Wilbur H.

Haines III's representation that he anticipates filing the appellant's opening brief by

September 2010, counsel's request for an extension of time in which to file that brief is granted to July 14, 2009. After that date, only seven further extensions totaling about 420 additional days are contemplated.

S043520**PEOPLE v. POWELL (CARL
DEVON)**

Extension of time granted

Good cause appearing, and based upon counsel Neoma Kenwood's representation that she anticipates filing the appellant's opening brief by September 2, 2009, counsel's request for an extension of time in which to file that brief is granted to July 6, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S044693**PEOPLE v. WALL (RANDALL
CLARK)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 30, 2009.

S045696**PEOPLE v. GARCIA (RANDY
EUGENE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Peter R. Silten's representation that he anticipates filing the appellant's reply brief by September 21, 2009, counsel's request for an extension of time in which to file that brief is granted to July 21, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S046848**PEOPLE v. DALTON (KERRY
LYN)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's reply brief by June 9, 2009, counsel's request for an extension of time in which to file that brief is granted to June 9, 2009. After that date, no further extension is contemplated.

S054774**PEOPLE v. TAYLOR (KEITH
DESMOND)**

Extension of time granted

At the request of counsel for appellant, the time to serve and file the simultaneous opening letter briefs for the parties is extended to July 21, 2009.

S055856**PEOPLE v. ROMERO
(ORLANDO GENE) & SELF
(CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel William D. Farber's representation that he anticipates filing appellant Christopher Self's reply brief by April 15, 2010, counsel's request for an extension of time in which to file that brief is granted to July 17, 2009. After that date, only five further extensions totaling about 270 additional days are contemplated.

S055856**PEOPLE v. ROMERO
(ORLANDO GENE) & SELF
(CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel Michael P. Goldstein's representation that he anticipates filing appellant Orlando Gene Romero's reply brief by April 17, 2010, counsel's request for an extension of time in which to file that brief is granted to July 14, 2009. After that date, only five further extensions totaling about 270 additional days are contemplated.

S065233**PEOPLE v. SMITH (FLOYD
DANIEL)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by September 27, 2010, counsel's request for an extension of time in which to file that brief is granted to July 27, 2009. After that date, only seven further extensions totaling about 420 additional days are contemplated.

S070536**PEOPLE v. MACIEL (LUIS
PELON)**

Extension of time granted

Good cause appearing, and based upon counsel Melissa Hill's representation that she anticipates filing the appellant's reply brief by July 31, 2009, counsel's request for an extension of time in which to file that brief is granted to July 31, 2009. After that date, no further extension is contemplated.

S083594**PEOPLE v. TRUJEQUE
(TOMMY ADRIAN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Christina A. Spaulding's representation that she anticipates filing the appellant's opening brief by May 2010, counsel's

request for an extension of time in which to file that brief is granted to July 27, 2009. After that date, only five further extensions totaling 300 additional days are contemplated.

S085578

**PEOPLE v. MCDOWELL, JR.,
(CHARLES EDWARD)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Jonathan J. Kline's representation that he anticipates filing the respondent's brief by September 16, 2009, counsel's request for an extension of time in which to file that brief is granted to July 17, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S086269

**PEOPLE v. JACKSON
(JONATHAN KEITH)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Adrienne S. Denault's representation that she anticipates filing the respondent's brief by November 20, 2009, counsel's request for an extension of time in which to file that brief is granted to July 20, 2009. After that date, only two further extensions totaling about 120 additional days are contemplated.

S092240

**PEOPLE v. BOYCE (KEVIN
DEWAYN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing the appellant's opening brief by mid-December 2009, counsel's request for an extension of time in which to file that brief is granted to July 17, 2009. After that date, only three further extensions totaling about 150 additional days are contemplated.

S093754

**PEOPLE v. BRENTS (GARY
GALEN)**

Extension of time granted

Good cause appearing, and based upon counsel Michael B. McPartland's representation that he anticipates filing the appellant's reply brief by September 30, 2009, counsel's request for an extension of time in which to file that brief is granted to July 24, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S097189**PEOPLE v. MYLES (JOHN)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Jeffrey J. Koch's representation that he anticipates filing the respondent's brief by September 21, 2009, counsel's request for an extension of time in which to file that brief is granted to July 20, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S097668**PEOPLE v. SHERMANTINE,
JR., (WESLEY HOWARD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 21, 2009.

S098318**PEOPLE v. HENDERSON
(PAUL NATHAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 27, 2009.

S099274**PEOPLE v. BROOKS
(DONALD LEWIS)**

Extension of time granted

Good cause appearing, and based upon counsel John L. Staley's representation that he anticipates filing the appellant's reply brief by June 22, 2009, counsel's request for an extension of time in which to file that brief is granted to June 22, 2009. After that date, no further extension is contemplated.

S107900**PEOPLE v. WRIGHT, JR.,
(WILLIAM LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 17, 2009.

S113653**PEOPLE v. HOYT (RYAN
JAMES)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 14, 2009.

S114228**PEOPLE v. DUONG (ANH
THE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 21, 2009.

S118147**PEOPLE v. MIRANDA-
GUERRERO (VICTOR M.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 27, 2009.

S118629**PEOPLE v. WILLIAMS, JR.,
(ROBERT LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 10, 2009.

S137676**HORNING (DANNY RAY) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Barry M. Karl's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by March 18, 2010, counsel's request for an extension of time in which to file that document is granted to July 17, 2009. After that date, only four further extensions totaling about 240 additional days are contemplated.

S157098**BUNYARD (JERRY
THOMAS) ON H.C.**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to July 13, 2009. The court anticipates that after that date, only six further extensions totaling about 360 additional days will be granted.

S159540**BENNETT (ERIC WAYNE)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Tamara P. Holland's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 2009, counsel's request for an extension of time in which to file that brief is granted to July 28, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S164272**INTERNATIONAL SOCIETY
FOR KRISHNA
CONSCIOUSNESS OF
CALIFORNIA, INC. v. CITY
OF LOS ANGELES**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the Respondents' Response to the Amicus Curiae Brief of the City and County of San Francisco et al. is extended to June 22, 2009.

S164272**INTERNATIONAL SOCIETY
FOR KRISHNA
CONSCIOUSNESS OF
CALIFORNIA, INC. v. CITY
OF LOS ANGELES**

Extension of time granted

On application of Appellants City of Los Angeles et al., and good cause appearing, it is ordered that the time to serve and file Appellants City of Los Angeles' Response to the Amicus Curiae Brief of the American Civil Liberties Union of Southern California, San Diego, and Imperial Counties is extended to June 19, 2009.

S167303**SLAUGHTER (MICHAEL
COREY) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Harry Joseph Colombo's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by November 2, 2009, counsel's request for an extension of time in which to file that document is granted to July 20, 2009. After that date, only two further extensions totaling about 100 additional days are contemplated.

S167791 C054124 Third Appellate District

**MARTINEZ (ROBERT) v.
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to June 24, 2009.

S169090

**PEOPLE v. CHOYCE
(WILLIAM JENNINGS)**

Extension of time granted

Good cause appearing therefor, in light of the fact that the clerk's transcript exceeds 10,000 pages, the request of the superior court clerk for an extension of time to complete the clerk's transcript on appeal is granted. (See Cal. Rules of Ct., rule 8.616(d)(1),(2).) The superior court clerk is directed to complete the clerk's transcript on appeal on or before June 19, 2009, and to notify the Clerk of this court in writing as soon as the transcript is completed.

S169188

CLAIR (KENNETH) ON H.C.

Extension of time granted

Good cause appearing, counsel John Grele's request for an extension of time to file petitioner's reply to the informal response is granted to July 21, 2009. After that date, no further extension is contemplated.

S171442 B194209 Second Appellate District, Div. 3

**LU (LOUIE HUNG KWEI) v.
HAWAIIAN GARDENS
CASINO, INC.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the Appellant's Opening Brief on the Merits is extended to July 20, 2009.

S171448 B213885 Second Appellate District, Div. 3

**NICKEY (DAVID JAMIESON)
v. S.C. (PEOPLE)**

The application of petitioner for an extension of time to file petitioner's reply to the answer to the petition for review is hereby denied.

S171818 B199461 Second Appellate District, Div. 7 **BROBERG (KIRK) v.
GUARDIAN LIFE
INSURANCE COMPANY OF
AMERICA**

The application of respondent for permission to file a reply to the answer to the petition for review is hereby denied.

S172486 B213850 Second Appellate District, Div. 6 **GODOY (ENRIQUE) ON H.C.**
Extension of time granted
On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to answer to petition for review is extended to June 1, 2009.
No further extension will be contemplated.

S170778 D050432 Fourth Appellate District, Div. 1 **PEOPLE v. ANDERSON (ELI
JORDAN)**
Counsel appointment order filed
Upon request of appellant for appointment of counsel, Stephen M. Hinkle is hereby appointed to represent appellant on the appeal now pending in this court.
Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S057321 **PEOPLE v. LOMAX
(DARREL LEE)**

Order filed
Appellant's "Application to File Brief in Excess of 2,800 Words and Declaration Regarding Application," is granted.